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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,845	03/09/2001	Tomoyuki Hamada	500.39831X00	6289

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EXAMINER

FISHER, MICHAEL J

ART UNIT PAPER NUMBER

3629

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/801,845

Applicant(s)

HAMADA, TOMOYUKI

Examiner

Michael J Fisher

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandifer.

As to claim 1, Sandifer discloses a support system for maintenance contract of regulated equipment (Title), maintenance plan setup means for setting up a maintenance contract plan including check-up interval of component parts (tables in cols 78-79,81-84 which tables show selecting the interval between replacement of parts), which varying intervals would be a plurality of plans as each plan would require a different interval.

Sandifer does not, however, teach using the system for elevators or predicting the load required.

As discussed above, Sandifer does, however, teach using the system for regulated equipment, which group includes elevators. Therefore, it would have been to one of ordinary skill in the art to use the system as disclosed by Sandifer for elevators as Sandifer discloses the system as being good for regulated equipment.

The examiner takes Official Notice that calculating a load on any equipment to be installed is well known in the art. Which load would include location as different states could have different regulatory requirements and height, as discussed below, would be included. Specifically, when an engineer is told to build something the required load is

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standard information. For instance, if a skyscraper, such as the Empire State Building, were installing elevators the required load would be high considering the height of the building and the high number of users such a large building would have. Likewise, if a 4-story apartment building were installing elevators the required load would be much lower owing to its lower height and, presumably, fewer users. If these factors were not considered the two buildings could have the same elevators installed. This would result in either massive over-spending in the much smaller apartment building or unsafe elevators in the skyscraper.

As to claim 2, as discussed above, Sandifer does not discuss load prediction. However, as discussed above, this is how engineers operate. Further, it would have been obvious to use a database as computers are ubiquitous in the field and databases are very well known to be good tools for correlating information in usable form.

As to claim 3, Sandifer discloses running records (table in col 79 with sections "Last compliance specified" and "Next compliance due date" and further in table in col 81 labeled "Amis Electronic Logbook), input means for inputting an ID code of a customer (inherent in that Sandifer discloses multiple clients and this would require a different code for different customers else they could be confused and miss regulatory check-ups) and further, the table in col 81 discussed is a running total as the dates for future check-ups would, of necessity, be 'rolling' else the customer could miss the next required check-up. Sandifer further discloses the load of the aircraft (hours and frequency in the Amis Electronic Logbook).

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As to claims 4 and 5, while Sandifer does not specifically mention charging for services and parts, it would have been obvious to one of ordinary skill in the art to charge for repairs as this as businesses generally charge for their services. Further, it would have been obvious to one of ordinary skill in the art to notify the customer as to the charges incurred as the customer needs to know how much to pay. Further, Sandifer discloses various tasks (table in cols 81 and 82 labeled "Gamis Electronic Logbook Codes"), which tasks would include clean-up.

As to claims 6-12, Sandifer discloses using a computer with display means (fig 1A). Further, it is very well known in the art for computers to be connected to the Internet. Therefore, it would have been obvious to one of ordinary skill in the art to modify the system as disclosed by Sandifer by using the Internet, with homepage, to allow for disparate users to access the system from different locations.

Response to Arguments

As the applicant has stated that the claims have been amended and/or added, "Unrelated to any rejection" the examiner is unsure if responding to the arguments is necessary, however, the examiner will respond to the most cogent. Others, not responded to herein, are discussed in the above rejection as they rely upon new limitations not included in the original claims.

As to arguments that the prior art does not contain a motivation for using it for elevators, applicant should note the title, "Computer Aided Maintenance and Repair Information System for Equipment Subject to Regulatory Compliance", which group, as discussed above and in the previous action, includes elevators. As discussed above,

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load predicting means is very well known in the art else the equipment would be unsafe or too expensive for the application. As discussed above, Sandifer does disclose a plurality of plans as the different intervals of service required are different for different hours, frequency of service and different planes. Sandifer further does teach generating secondary information by calculation (tables in cols 78,79 and 81-81). The information would change based on previous entries. For instance, the next check-up date would change as each check-up is performed, the new date would be *calculated* by determining the interval between check-ups. The further arguments have been discussed in the above rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J Fisher whose telephone number is 703-306-5993.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MF

1/8/05



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